IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET
CRIMINAL APPEAL NO.357 OF 2004

The State of Maharashtra ...Appellant
vs.
Dhondu Gorakh Pagar and ors. ...Respondents

CORAM: A.S.OKA,J.
DATE : AUGUST 19, 2006.

P.C.:

1. Heard learned A.P.P. for the State on the prayer for grant of leave to prefer an Appeal. After having heard the learned A.P.P. and after having gone through the impugned Judgment and Order, I find that no case is made out for grant of leave. The learned Trial Judge has recorded a finding that the evidence of the complainant and his witnesses were full of material contradictions. So far as injury of fracture allegedly sustained by the complainant is concerned, it appears that the complainant had prior to the incident suffered a fracture. The learned Judge has referred to the admission of the Medical Officer that if a person falls down there is possibility of prior fracture reopening. The learned Judge has noted that in the medical certificate age of the injury is not mentioned. No case is made out for grant of leave. Prayer is rejected. Appeal is dismissed.

JUDGE